

ATTACHMENT TO FORM 90C (Paper No. 20081007)

Notice to Applicant

1. This communication is in response to the Information Disclosure Statements filed 13 November 2006 and 8 November 2006 and the telephone discussion with Attorney John Monocello (Reg. No. 51022) on 22 September 2008.
2. The information disclosure statement filed 13 November 2006 has been entered and considered. The fee paid 8 November 2006 has been applied.
3. The information disclosure statement filed 8 November 2006 fails to comply with 37 CFR 1.97(d) because it although it contains a statement as specified in 37 CFR 1.97(e), the statement contains an error, as discussed with Attorney Monocello, and has been incorrectly submitted. Accordingly, the Information Disclosure Statement has been placed in the application file, but the information referred to therein has not been considered.

Conclusion

4. **Any response to this action should be mailed to:**

Box AF

Commissioner of Patents and Trademarks

Washington D.C. 20231

or faxed to: (571) 273-8300.

For formal communications, please mark
"EXPEDITED PROCEDURE".

For informal or draft communications, please label
"PROPOSED" or "DRAFT" on the front page of the
communication and do NOT sign the communication.

After Final communications should be labeled "Box AF."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalie A. Pass whose telephone number is (571) 272-6774. The examiner can normally be reached on Monday through Thursday from 9:00 AM to 6:30 PM. The examiner can also be reached on alternate Fridays.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

/N. A. P./
Examiner, Art Unit 3686
October 7, 2008

/Gerald J. O'Connor/
Supervisory Patent Examiner
Group Art Unit 3686